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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,079	03/29/2001	Shigeyuki Kawai	SON-1846/STP	6806

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WASHINGTON, DC 20036

EXAMINER

BAYAT, BRADLEY B

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/720,079

Applicant(s)

KAWAI ET AL.

Examiner

Bradley B. Bayat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

Applicant's amendment dated December 21, 2004 has been considered and claims 18-40 remain pending.

Response to Arguments

Applicant's arguments filed 21 December 2004 have been fully considered but they are not persuasive.

Applicant concedes in the response filed that the cited reference Kasai (6,058,382) teaches an electronic money holding device utilizing an automatic payment method having an electronic money terminal, electronic money log data storing mechanism wherein information with regards to any payment made is stored and updated and also that a settled-payment record in the payment data is erased (applicant's response page 11). The applicant, however, contends that Kasai fails to disclose, teach or suggest that the electronic money terminal updates the electronic money log data "with a transaction amount when the payment method indication indicates the payment by the installment payments (response p.11)." The examiner respectfully disagrees.

Kasai, in fact, discloses an electronic money holding device utilizing an automatic payment method wherein a payment is made in accordance with contract terms between a provider and a buyer (column 1, line 50-column 2, line 34). The electronic money holding device claimed by applicant and taught by Kasai do not determine contract terms between a buyer and a provider, but rather carry out an automatic payment in accordance with the agreed upon terms of the contract (column 3, lines 24-43). For instance, if the applicant's automatic payment is for a phone bill, the whole monthly usage amount will be automatically deducted,

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whereas if a car payment is automatically deducted, the previously agreed upon installment payment is made. Therefore, as disclosed in Kasai, the electronic money holding device utilizing an automatic payment mechanism merely deducts, logs and updates payments as per the contract terms specified between the parties (see figure 1 and associated text).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 18-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Kasai et al. (hereinafter Kasai), U.S. Patent 6,058,382.

As per the following claims, Kasai discloses:

18. An electronic money system comprising: a plurality of electronic money terminals, an electronic money terminal of said plurality of electronic money terminals receiving electronic money log data from an electronic device, said electronic money log data including electronic money, for the purchase of a commodity or the reception of a service, said electronic money terminal receiving a transaction amount and a payment method indication, said transaction amount being said purchase price of said commodity or the monetary value of said service, said

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payment method indication indicating payment of said transaction amount using said electronic money or installment payments, wherein said electronic money terminal updates said electronic money log data with said transaction amount when said payment method indication indicates said payment by said installment payments, wherein said updated electronic money log data is stored within said electronic money terminal, and wherein said electronic device stores said updated electronic money log data (column 1, line 50-column 2, line 33; figure 1 and associated text).

19. The electronic money system according to claim 18, wherein said electronic money terminal updates said electronic money log data by decrementing said electronic money in the amount of said transaction amount when said payment method indication indicates said payment by said electronic money (column 3, lines 20-34; columns 5-6; figure 1 and associated text).

20. The electronic money system according to claim 19, wherein, when said transaction amount is greater than said electronic money, the difference between said transaction amount and said electronic money is stored within said electronic money terminal as credit card transaction information.

21. The electronic money system according to claim 20, further comprising: an electronic money management block that captures electronic money log data stored within each money terminal of said plurality of electronic money terminals (column 6, lines 35-65).

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22. The electronic money system according to claim 21, wherein said electronic money management block calculates the sum total transaction amounts for said electronic device during a particular time interval (figure 2 and associated text).

23. The electronic money system according to claim 21, wherein said electronic money management block sends to a bank or credit company the sum total amount of credit card transaction information for said electronic device during a particular time interval (figure 1 and associated text).

24. The electronic money system according to claim 18, wherein said electronic money terminal stores therein electronic money log data for prior usages of said electronic device (column 3, line 35-column 4, line 20).

25. The electronic money system according to claim 18, wherein said electronic money terminal receives electronic money log data from another electronic device (column 3, lines 36-40).

26. The electronic money system according to claim 18, wherein said electronic money terminal receives other electronic money log data from said electronic device (column 5, lines 64-66).

27. The electronic money system according to claim 18, further comprising: a deposit terminal that receives currency and transmits amount data to said electronic device, said amount data representing the monetary value of said currency being transmitted, said electronic device using

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said amount data to increment electronic money in the amount of said monetary value (figure 3 and associated text).

28. The electronic money system according to claim 18, wherein said electronic device is a portable terminal (column 4, lines 40-56).

29. The electronic money system according to claim 18, wherein said electronic device is an information card (column 2, lines 31-33).

30. The electronic money system according to claim 29, wherein said information card is a contact less information card that sends and receives said electronic money log data in a contact less manner (column 4, lines 36-41).

Claims 31-40 are directed to a method according to the system above and are rejected under the same cited reference.

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially

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teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley B. Bayat whose telephone number is 571-272-6704. The examiner can normally be reached on Tuesday-Friday 8am-6: 30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bbb



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